Civil Misc. Writ Petition No. 346(S/B) of 2001
Old No. 4850 of 2000

Ashraf Ali Siddiqui …… Petitioner

Versus

State of U.P and others…… Respondents

Hon. P.C.Verma, J.
Hon. M.C.Jain, J.

Heard learned counsel for the petitioner as well as learned counsel for the G.B.Pant University of Agriculture and Technology in presence of the Vice chancellor who assisted the Court very fairly.

According to the respondents. The post of the Teaching Associate does not find place in the statute. The post has also not been created under any Government Order. These posts have been created to meet the exigencies of situation as the qualified Assistant Professors were not available. Now, regular Assistant Professo rs are available, therefore, services of the petitioner are not required. Hence, the impugned order has been passed.

The University did not consider this aspect of the matter that when the University was in need and there was exigency, the services of the petitioner were required to meet the situation. At the time when Assistant Professors were not available, the petitioner and some other came to the rescue of the University. Some of them were qualified and fulfilled requisite qualifications to be appointed as Assistant Professors. The present petitioner also fulfilled the qualification to be appointed as Assistant Professor has been disputed by the respondents. Be that as it may. The petitioner having been appointed against the post of Assistant professor as teaching associate for the last nine

Years, the University shall allow the petitioner to continue either as teaching associate or at any other equivalent post but his emoluments shall not be reduced. Parties counsel and the Vice Chancellor agree that the petition be disposed of with this direction.

The petition is disposed of accordingly.

(P.C. Verma,J.) (M.C.Jain, J.)

Dt.30.05.2001

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